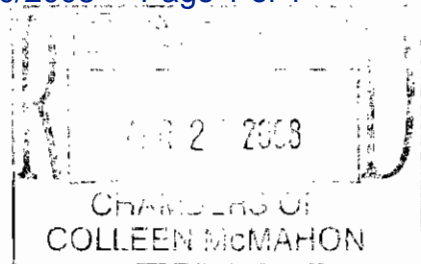
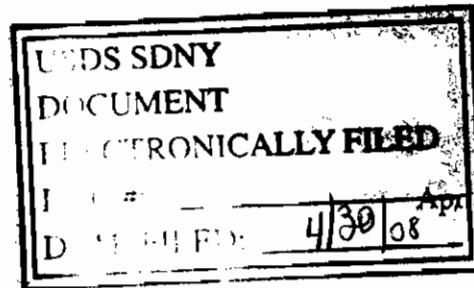


MEMO ENDORSED

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL



ANDREW M. CUOMO
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LESLIE G. LEACH
Executive Deputy Attorney General
Division of State Counsel

JUNE DUFFY
Assistant Attorney General in Charge
Litigation Bureau

By Facsimile

Honorable Colleen McMahon
United States District Judge
Southern District of New York
500 Pearl Street, Room 640
New York, New York 10007

*Adjourned to
5/16/08 @ 11:00 a.m.*

Colleen McMahon
4/30/08

Re: Thomas v. Stone
08 Civ. 1495 (CM)

Dear Judge McMahon:

This letter is written to notify the Court that it has come to our attention that plaintiff will not be available for the phone conference scheduled for May 2 at 11:15 am. Based upon my conversations today with DOCS officials, plaintiff will be in transit to another facility on May 2 because of the imposition of a recent disciplinary sanction at Fishkill Correctional facility. Accordingly, we request that the May 2 phone conference be adjourned to a date and time convenient for the Court.

Respectfully submitted,

John E. Knudsen

John E. Knudsen
Assistant Attorney General
(212) 416-8625

cc: Bernard Thomas, 99-A-2204 (via mail)
Fishkill Correctional facility

Copies mailed/faxed/handed to counsel on 4/30/08